

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

U.S. BANK NATIONAL ASSOCIATION,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 12-cv-5598
)	
CAPITAL REALTY & DEVELOPMENT, LLC,)	Judge Hon. Milton I. Shadur
an Illinois limited liability company and)	Magistrate Judge Hon. Jeffrey Cole
RICHARD P. TURASKY, JR., individually,)	
)	
Defendants.)	

AFFIDAVIT OF ATTORNEYS' FEES AND COSTS

The undersigned, Vincent T. Borst, hereby states as follows:

1. I am duly licensed as an attorney in the State of Illinois and am admitted to practice before this Court. I am a partner with the law firm of Robbins, Salomon & Patt, Ltd. ("RSP") and represent U.S. Bank National Association ("U.S. Bank") in the above-captioned matter. I am familiar with the facts in the above-mentioned case and if called upon could competently testify to the same.

2. I am familiar with RSP's procedures with regards to the records kept of services rendered and the preparation of billing statements as sent to clients.

3. U.S. Bank filed its original Complaint in this matter against Defendants on July 17, 2012. U.S. Bank filed its Amended Complaint on July 25, 2012.

4. The following hourly fees have been incurred by U.S. Bank in connection with RSP's representation of Plaintiff to prosecute the instant action during the period July 17, 2012 through November 28, 2012:

Attorney/Year of Graduation from Law School	Attorney Initials	Hours	Rate	Total Fees
Richard L. Gayle / 1972	RLG	1.5	\$425.00	\$ 637.50
Vincent T. Borst / 1986	VTB	30.1	\$415.00	\$12,141.50
Kimberly A. Doucas / 2004	KAD	10.0	\$245.00	\$ 2,450.00
Kristin N. Clark (Paralegal)	KNC	1.8	\$160.00	\$ 288.00
Total:		43.40		\$15,517.00

A true and correct copy of a pro forma statement summarizing the statements identifying the services and costs of the time and the services rendered through November 28, 2012, indicating the date such services were rendered, describing the services so rendered, and setting forth the amount of fees incurred and diary entries by each individual attorney and paralegal is attached hereto as Exhibit A. The attached pro forma reflects data input from daily diaries kept by the attorneys and the paralegal prepared at the time when such services were rendered.

5. The amount of fees charged to date to U.S. Bank was based upon a computation of the number of hours worked multiplied by the usual and customary rate for each attorney and paralegal, based on the nature and complexity of the case and amount in dispute. The fees charged by RSP in this matter are reasonable under the circumstances and within the range of fees usually and customarily charged by RSP to its other clients for similar services.

6. U.S. Bank has also filed a Bill of Costs, seeking fees and costs in the total amount of \$610.00.

7. U.S. Bank is seeking the amount of \$15,517.00, which is the total amount of attorneys' fees and costs (excluding the costs set forth in U.S. Bank's Bill of Costs) incurred through November 28, 2012.

8. The undersigned hereby confirms that all fees, costs, and expenses identified herein were billed or will in the normal course be billed to U.S. Bank by RSP for payment in full in the amounts indicated.

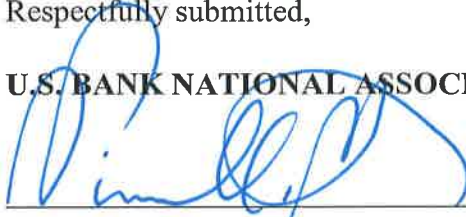
9. It is anticipated that additional costs, expenses, and attorneys' fees have been and will be incurred during the pendency of these proceedings.

10. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

U.S. BANK NATIONAL ASSOCIATION

By:



One of its Attorneys

Vincent T. Borst (ARDC #06192904)
Richard L. Gayle (ARDC #09266647)
Kimberly A. Doucas (ARDC # 6283992)
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EXHIBIT A

Billed Time and Fee Summary -

[10658.1 - U.S. Bank National Association v. Capital Realty Development, LLC and Richard P. Turasky]

Date	Initials	Name / Invoice Number	Hours	Amount	Description
3/14/2012 4/12/2012	VTB	Vincent T. Borst Invoice = 149072	1.00	\$415.00	Complete review of documents in preparation for drafting complaint.
3/23/2012 4/12/2012	VTB	Vincent T. Borst Invoice = 149072	2.40	\$996.00	Draft Complaint on unsecured note; prepare exhibits and communication with Mr. Gehrke.
3/27/2012 4/12/2012	VTB	Vincent T. Borst Invoice = 149072	0.70	\$290.50	Revise complaint.
3/28/2012 4/12/2012	RLG	Richard L. Gayle Invoice = 149072	0.50	\$212.50	Review and revise Mr. Borst's draft complaint on unsecured note, confer with Mr. Borst re: same.
3/28/2012 4/12/2012	VTB	Vincent T. Borst Invoice = 149072	0.60	\$249.00	Review of complaint; preparation of exhibits; conference regarding same with paralegal.
4/3/2012 5/9/2012	VTB	Vincent T. Borst Invoice = 150233	0.50	\$207.50	Revising complaint relating to unsecured note.
5/1/2012 6/11/12	RLG	Richard L. Gayle Invoice = 151522	0.60	\$255.00	Email communications with Mr. Gehrke re: moving forward with suit on unsecured debt, review and revise latest version of draft complaint and forward to client.
5/2/12 6/11/2012	KAD	Kimberly A. Doucas Invoice = 151522	0.30	\$73.50	Exam draft complaint; prepare e-mail memorandum to Mr. Gayle and Mr. Borst re: suggested revisions.
7/9/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	0.30	\$124.50	Review of email from Mr. Gehrke; responding to same.
7/9/2012 8/9/12	RLG	Richard L. Gayle Invoice = 153691	0.20	\$85.00	Review emails and email communications with Mr. Gehrke and Mr. Borst regarding consideration of alternatives to enforce final, unsecured debt.
7/10/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	0.50	\$207.50	Review of email from Mr. Gehrke; conference with Mr. Gayle regarding matter; preparation of email to Mr. Gehrke regarding strategy.
7/10/2012 8/9/12	RLG	Richard L. Gayle Invoice = 153691	0.20	\$85.00	Confer with Mr. Borst regarding analysis of final claim against debtor and alternative approach for client's consideration.

Billed Time and Fee Summary -

[10658.1 - U.S. Bank National Association v. Capital Realty Development, LLC and Richard P. Turasky]

Date	Initials	Name / Invoice Number	Hours	Amount	Description
7/11/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	1.20	\$498.00	Conference with Mr. Gehrke regarding proposed default letter and suit; review of email from Mr. Gehrke; communication with Mr. Gehrke regarding complaint against Capital Realty and Turasky.
7/12/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	2.20	\$563.00	Finalizing complaint against Capital Realty and Turasky; communication with Mr. Gehrke regarding same; review of revolving credit loan agreement regarding right of set off; communicating with Mr. Gehrke regarding same.
7/13/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	0.20	\$83.00	Conference with Mr. Gehrke regarding account block.
7/16/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	1.00	\$415.00	Review of email from Mr. Gehrke; finalizing complaint; preparing service documents; conference with Mr. Gayle regarding account hold vs. set off.
7/16/2012 8/9/12	KNC	Kristin N. Clark Invoice = 153691	0.50	\$80.00	Online research regarding Illinois Secretary of State for registered agent information for Capital Realty; preparation of skip trace on Richard Turasky.
7/17/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	0.70	\$290.50	Review of notices from clerk of court regarding complaint and assigned judge; review of Judge Shadur's standing orders regarding pretrial matters.
7/18/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	0.80	\$332.00	Review of email from Mr. Gehrke regarding set off; conference with same; conference with paralegal regarding service of complaint; review of email from Yaman regarding wire instructions.
7/18/2012 8/9/12	KNC	Kristin N. Clark Invoice = 153691	0.70	\$112.00	Review of email from Mr. Borst regarding strategy of suit; preparation of Summonses and Complaint for forwarding to Special Process Server for service; telephone conference with Special Process Server regarding rush service; preparation of letter to Special Process Server regarding strategy of rush service.
7/19/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	0.40	\$166.00	Conference with Mr. Gehrke; preparation of email to Yaman at Capital Realty regarding set off.

Billed Time and Fee Summary -

[10658.1 - U.S. Bank National Association v. Capital Realty Development, LLC and Richard P. Turasky]

Date	Initials	Name / Invoice Number	Hours	Amount	Description
7/20/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	1.00	\$415.00	Review of court order; preparing amended complaint; conference with Mr. Gehrke regarding Turasky accounts at bank; preparation of email to Turasky and Yaman regarding same.
7/24/2012 8/9/12	VTB	Vincent T. Borst Invoice = 153691	1.40	\$581.00	Preparing for hearing on motion and on status; attending same; review of email from Mr. Gehrke regarding Turasky threat; conference with same.
7/26/2012 8/9/12	KNC	Kristin N. Clark Invoice = 153691	0.60	\$96.00	Preparation of Affidavits of Service of C complaint and Summonses for e-filing with Court; conference with Ms. Kwiatkowski regarding filing of Amended Complaint.
8/7/2012 9/12/12	VTB	Vincent T. Borst Invoice = 154313	0.20	\$83.00	Conference with Mr. Gehrke regarding matter and deadline for answers
8/13/2012 9/12/12	VTB	Vincent T. Borst Invoice = 154313	0.30	\$124.50	Teleconference with Lang from Thompson Coburn regarding Capital Realty and Turasky response deadline.
8/15/2012 9/12/12	VTB	Vincent T. Borst Invoice = 154313	0.20	\$83.00	Conference with opposing counsel regarding deadline for response.
8/17/2012 9/12/12	VTB	Vincent T. Borst Invoice = 154313	0.30	\$124.50	Conference with opposing counsel.
8/20/2012 9/12/12	VTB	Vincent T. Borst Invoice = 154313	0.70	\$290.50	Conference with opposing regarding time to answer or otherwise plead; review of motion regarding same.
8/21/2012 9/12/12	VTB	Vincent T. Borst Invoice = 154313	0.30	\$124.50	Review of court order; conference with Ms. Doucas.
8/27/2012 9/12/12	VTB	Vincent T. Borst Invoice = 154313	0.30	\$124.50	Conference with Mr. Gehrke regarding matter and status of answer; review of court order.
9/12/2012 10/9/12	VTB	Vincent T. Borst Invoice = 155301	1.00	\$415.00	Review and analysis of answer to complaint; developing strategy for judgment on the pleadings; communicating same to Mr. Gehrke.
9/13/2012 10/9/12	VTB	Vincent T. Borst Invoice = 155301	0.60	\$249.00	Conference with Mr. Gehrke regarding matter and strategy; conference with Ms. Doucas regarding motion for judgment on the pleadings.

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[10658.1 - U.S. Bank National Association v. Capital Realty Development, LLC and Richard P. Turasky]

Date	Initials	Name / Invoice Number	Hours	Amount	Description
9/18/2012 10/9/12	VTB	Vincent T. Borst Invoice = 155301	0.60	\$249.00	Conference with opposing counsel; review of court docket regarding status date.
9/24/2012 10/9/12	KAD	Kimberly A. Doucas Invoice = 155301	4.00	\$980.00	Prepare motion for summary judgment; prepare statement of facts; prepare memorandum in support of motion for summary judgment.
9/27/2012 10/9/12	KAD	Kimberly A. Doucas Invoice = 155301	4.80	\$1,176.00	Prepare prove-up affidavit of Gregg Gehrke; review elements of breach of promissory note and further preparation of memorandum in support of motion for summary judgment.
9/28/2012 10/9/12	VTB	Vincent T. Borst Invoice = 155301	2.50	\$1,037.50	Review and revision of motion for summary judgment; review and revision of affidavit of Mr. Gehrke; review and revision of memorandum of law in support of motion for summary judgment.
9/28/2012 10/9/12	KAD	Kimberly A. Doucas Invoice = 155301	0.90	\$220.50	Revise memorandum in support of motion for summary judgment.
10/3/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	1.00	\$415.00	Review of motion and supporting memorandum and affidavit; communication with Mr. Gehrke regarding same.
10/4/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	0.40	\$166.00	Conference with Mr. Gehrke regarding motion for summary judgment.
10/9/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	0.60	\$249.00	Conference with Mr. Gehrke regarding motion for summary judgment.
10/10/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	1.00	\$415.00	Review of recent pay off statement; revising memorandum in support of motion and affidavit of Mr. Gehrke; conference with Ms. Doucas regarding fee affidavit.
10/11/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	1.30	\$539.50	Finalizing motion for summary judgment; preparing exhibits; conference with paralegal regarding same; review of docket for hearing date.

Billed Time and Fee Summary -

[10658.1 - U.S. Bank National Association v. Capital Realty Development, LLC and Richard P. Turasky]

Date	Initials	Name / Invoice Number	Hours	Amount	Description
10/12/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	0.70	\$290.50	Review of notice from clerk of court regarding motion for summary judgment; review of Judge Shadur's standing order regarding motions; conference with paralegal regarding Judge's courtesy copies; communication with Mr. Gehrke regarding status.
10/15/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	0.30	\$124.50	Review of correspondence to Judge Shadur.
10/22/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	2.50	\$1,037.50	Preparing for hearing on motion for judgment on the pleadings; attending same; conference with opposing counsel; review of court order.
10/26/2012 11/9/12	VTB	Vincent T. Borst Invoice = 156746	0.40	\$166.00	Conference with Mr. Gehrke regarding status of motion.
Totals:			43.40	\$15,517.00	